

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

ANNIE MORRIS CLEMONS,)	C.A. No. 4:04-2491-TLW
)	
Plaintiff,)	
)	
vs.)	WRITTEN OPINION AND ORDER
)	
FLORENCE COUNTY BOARD OF)	
DISABILITIES AND SPECIAL NEEDS,)	
)	
Defendant.)	
)	
)	

On June 18, 2004, the plaintiff, who is represented by legal counsel, commenced the instant action in the State of South Carolina Court of Common Pleas for Florence County. On July 19, 2004, the plaintiff filed an amended complaint alleging causes of action for failure to pay overtime wages, wrongful retention of wages, breach of contract/detrimental reliance, and constructive discharge. Thereafter, the instant action was removed to Federal Court. On July 27, 2004, the defendant filed an answer denying the allegations of the plaintiff.

On April 7, 2005, the defendant also filed a motion for summary judgment. According to the defendant, summary judgment is appropriate in this case because: (1) plaintiff has not presented any evidence of failure to pay overtime wages; (2) plaintiff has failed to set forth any evidence of the wrongful retention of wages; (3) plaintiff has failed to establish a claim of breach of contract or detrimental reliance; and (4) plaintiff has failed to establish a claim for constructive discharge. Significantly, the plaintiff has not filed any

memorandum in opposition to the motion for summary judgment.

Absent any memorandum in opposition to the defendant's motion for summary judgment, the undersigned can only conclude that the plaintiff does not oppose the motion. Therefore, it is **ORDERED**, without opposition, and for the reasons asserted by the defendant, that the defendant's motion for summary judgment is **GRANTED**.

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
United States District Court Judge

October 4, 2005
Florence, South Carolina